

EDUCATION DEPARTMENT[281]

Adopted and Filed

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby amends Chapter 68, “Iowa Public Charter Schools,” Iowa Administrative Code.

Upon initial enactment of Iowa’s Charter Schools Act (Iowa Code chapter 256F) in 2003, Chapter 68 was adopted in September 2003. There are presently fewer than ten charters. 2010 Iowa Acts, Senate File 2033, added the concept of innovation zone schools to Iowa Code chapter 256F. An innovation zone school is similar to a charter school, but a charter school is a public attendance center chartered and governed by the local school board of the school district in which the charter school is located, whereas an innovation zone school is a public attendance center established by a consortium that must include at least two school districts and an area education agency.

Items 1 through 7, 13, and 16 reflect the addition of language pertaining to innovation zone schools, necessitated by the enactment of 2010 Iowa Acts, Senate File 2033.

In Item 8, the amendment to the number of points awarded is to emphasize that innovation is of great importance to the State Board.

The amendment in Item 9 reflects actual practice. Because the State Board does not meet every month, it is not always possible to meet the existing 60-day deadline. On the other hand, actual practice is for the Department to give notice to applicants of the State Board’s decision about a charter application well within 5 days.

In Item 10, language is added to implement 2010 Iowa Acts, Senate File 2033. Similar language is added in Item 15.

The amendment in Item 11 corrects a misstatement by the rule of what is in the statute. Pursuant to Iowa Code chapter 290, only an affected student or parent of a minor affected student may invoke the appeal procedure in that chapter.

Item 15 includes the rules for proposal of innovation zone schools by innovation zone consortia, approval and review process of the schools, and process for renewal or termination of the schools.

An agencywide waiver provision is provided in 281—Chapter 4.

Notice of Intended Action was published in the August 25, 2010, Iowa Administrative Bulletin as **ARC 9014B**. A public hearing was held on September 14, 2010, and public comments were allowed until 4:30 p.m. on the same date. No written or oral comments were received.

One nonsubstantive change has been made to the amendments published under Notice. A phrase in the second sentence of subrule 68.7(2) has been transposed for clarity. Subrule 68.7(2) now reads as follows:

**“68.7(2) Revocation by school board.** A school board considering the revocation of a contract with its charter school shall notify the advisory council, the family units, and the teachers and administrators employed by the charter school at least 60 days prior to the date by which the contract must be renewed, but not later than the last day of classes in the school year. The decision of a school board to revoke or fail to renew a charter school contract is subject to appeal under procedures set forth in Iowa Code chapter 290 by an affected student or parent of an affected student who is a minor.”

These amendments shall become effective January 19, 2011.

These amendments are intended to implement Iowa Code chapter 256F as amended by 2010 Iowa Acts, Senate File 2033.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [68.1 to 68.7, 68.11 to 68.15] is being omitted. With the exception of the change noted above, these amendments are identical to those published under Notice as **ARC 9014B**, IAB 8/25/10.

[Filed 11/18/10, effective 1/19/11]

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[For replacement pages for IAC, see IAC Supplement 12/15/10.]